

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION -FLINT

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO.: 05-CR-50040-1FL

vs.

HON. PAUL V. GADOLA
MAG. JUDGE WALLACE CAPEL, JR.

ATIBA WELLS,

Defendant.

ORDER OF DETENTION
PENDING REVOCATION PROCEEDINGS

The Defendant appeared before the Court on July 19, 2005, based upon a Petition and Warrant for violation of his conditions of supervised release, filed on July 15, 2005.

The Defendant is charged with violation of the Standard Condition Number 7 by testing positive for the use of marijuana on a number of occasions, as well as testing positive for the use of cocaine.

The report of the Probation Officer in this matter indicates that the Defendant began his term of supervised release on April 15, 2005. A number of urine specimens provided by the Defendant in May and June, 2005, tested positive for the use of marijuana . Further, tests in the month of June, 2005, also tested positive for the use of cocaine.

Based upon the information presented at the hearing, it appears that the Defendant has continued to use illegal substances and that he lacks the desire to control his drug habit and to make any attempt to treat his drug problem.

Accordingly, the Defendant shall be detained without bond in this matter pending further

proceedings before the district court judge.

The Defendant is hereby remanded to the custody of the United States Marshal.

IT IS SO ORDERED.

DATED: July 19, 2005

**s/ Wallace Capel, Jr. _____
WALLACE CAPEL, JR.
United States Magistrate Judge**

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2005, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send such notification of such filing to the following: James C. Mitchell, AUSA , Kenneth R. Sasse, Esq., Federal Defender Office , and I hereby certify that I have mailed by United States Postal Service/hand delivered the paper to the following non-ECF participants: United States Marshal, 600 Church St., Flint, Michigan 48502, Probation Officer, 600 Church St., Flint, Michigan 48502

s/ James P. Peltier
James P. Peltier
Courtroom Deputy Clerk
U.S. District Court
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